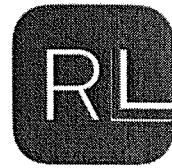
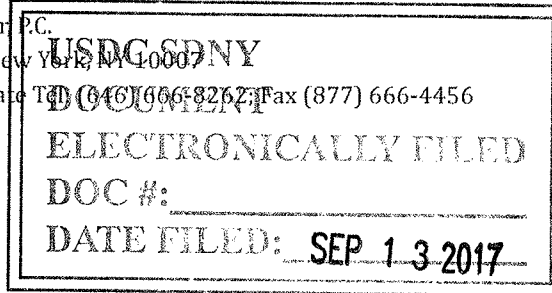


The Law Office of Ryan Lozar, P.C.
305 Broadway, 10th Floor, New York, NY 10007
Tel: (310) 867-1562; Alternate Tel: (461) 666-8262; Fax: (877) 666-4456
ryanlozar@gmail.com
www.ryanlozar.com



SEPTEMBER 12, 2017

SO ORDERED:

Re: Ernest Murphy v. City of N.Y., No. 16 Civ. 4415 (AJN)

HON. ALISON J. NATHAN
UNITED STATES DISTRICT JUDGE

Dear Judge Nathan:

I represent Plaintiff Ernest Murphy in the above-captioned Section 1983 action alleging, inter alia, misconduct on the part of New York City Department of Corrections ("DOC") Corrections Officers resulting in violations of Mr. Murphy's constitutional rights.

I write to make a joint request for discovery extension. This is the Parties' second request. The close of discovery is presently set for September 15, 2017, with a final pretrial conference scheduled for October 6, 2017. Docket No. 80. The Parties respectfully request that the fact discovery deadline be extended an additional ninety days until December 15, 2017, with the final pretrial conference to follow at the Court's convenience. Due to the advanced state of discovery as detailed herein, the Parties do not anticipate needing further extension beyond that date.

By way of brief procedural background, on July 25, 2017, the Parties attended settlement conference with Magistrate Judge Cott. Docket Entry 7/25/2017. Although the matter did not settle that day, the Parties continued their settlement discussions after that proceeding. Last week, Defendants served Plaintiff with a Rule 68 Offer of Judgment about which I continue to confer with Plaintiff. There has been a great deal of paper, photographic and audio discovery in this case. As the Court may recall, Plaintiff's claims address four different incidents, and Defendants are represented by three firms. Despite the logistical difficulties posed by the number of Defense Counsel when certain Defendants' interests converge, the Parties have to date successfully resolved many discovery disputes informally without requiring the Court's intervention.

Unfortunately, there are a handful of issues which we have been unable to resolve informally, and on September 7, 2017, these became the subject of a Local Rule 37.2 motion. Docket No. 86. The resolution of those disputes will permit the Parties to thereafter move to expeditious completion of depositions. The Parties do not anticipate expert discovery however, in the event that that changes, the Parties represent that we will cross-serve reports from noticed experts on or before November 17, 2017, with rebuttal reports due on or before December 15, 2017 (the requested proposed deadline for all discovery).

Thank you in advance for your consideration and attention.

The parties' joint request for an extension to the deadline for the close of fact discovery is GRANTED. Fact and expert discovery will close December 15, 2017. The post-discovery conference previously scheduled for October 6, 2017 is hereby rescheduled for January 5, 2018 at 2:30 P.M. The Court will refer the case to Magistrate Judge Cott for general pretrial supervision, including discovery disputes, by separate order. SO ORDERED.

Sincerely,

Ryan Lozar

Ryan Lozar
Attorney for Plaintiff

SO ORDERED:

[Signature]
HON. ALISON J. NATHAN
UNITED STATES DISTRICT JUDGE

9/13/17